

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

THOMAS HAROLD NAASZ,)

Defendant.)

CASE NO. 06- 468 M

DETENTION ORDER

Alleged violation:

Committing the offense of second degree assault as charged in King County Superior Court, cause number 06-1-01399-5.

Underlying charge:

False Statement in Acquisition of a Firearm, in violation of 18 U.S.C. § 922(a)(6), as charged in the Eastern District of Washington.

The Court conducted both a uncontested detention hearing pursuant to Title 18, U.S.C. § 3142(f) and a preliminary Rule 5(c)(3) inquiry. The defendant waived his rights to a full Rule 5(c)(3)(D) hearing and the Court signed an order of transfer to the originating district court of the Eastern District of Washington to answer the charges. The defendant may re-open the matter of detention at that time.

The Government was represented by Tate London. The defendant was represented

1 by Brian Tsuchida.

2 The defendant had been convicted of the underlying federal court charge on or
3 about June 1, 2006 by the Honorable William F. Nielsen of the Eastern District of
4 Washington. While released on bond the defendant is alleged to have committed the
5 violation. The Court finds that, based upon the factual findings and statement of reasons for
6 detention hereafter set forth, no condition or combination of conditions which the defendant
7 can meet will reasonably assure the appearance of the defendant as required and the safety
8 of any other person and the community.

9 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

10 (1) The Court is concerned with the risk of danger the defendant poses as he
11 has a increasing history of violence, including two prior assault
12 convictions. The underlying charge includes a weapon offence.

13 (2) Due to the nature of the instant offense, the defendant is viewed as a risk
14 of non-appearance.

15 Thus, there is no condition or combination of conditions that would reasonably assure
16 future court appearances.

17 **It is therefore ORDERED:**

18 (1) Defendant shall be detained pending trial and committed to the custody of
19 the Attorney General for confinement in a correctional facility separate, to
20 the extent practicable, from persons awaiting or serving sentences, or being
21 held in custody pending appeal;

22 (2) Defendant shall be afforded reasonable opportunity for private
23 consultation with counsel;

24 (3) On order of a court of the United States or on request of an attorney for the
25 Government, the person in charge of the correctional facility in which
26 Defendant is confined shall deliver the defendant to a United States

1 Marshal for the purpose of an appearance in connection with a court
2 proceeding; and

3 (4) The clerk shall direct copies of this order to counsel for the United States,
4 to counsel for the defendant, to the United States Marshal, and to the
5 United States Pretrial Services Officer.

6 DATED this 8th day of September, 2006.

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10 MONICA J. BENTON
11 United States Magistrate Judge
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